

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

| | | |
|-------------------------|---|---------------------|
| LYNN SAN SOUCIE, |) | |
| |) | |
| Plaintiff, |) | C.A. No. 04-861-JJF |
| |) | |
| v. |) | JURY TRIAL DEMANDED |
| |) | |
| REPRODUCTIVE ASSOCIATES |) | |
| OF DELAWARE, P.A., |) | |
| |) | |
| Defendant. |) | |

**APPENDIX TO DEFENDANT
REPRODUCTIVE ASSOCIATES OF DELAWARE, P.A.'S ANSWERING BRIEF
IN OPPOSITION TO PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT**

VOLUME III OF III

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Reproductive Associates of Delaware, P.A.

Dated: March 14, 2005

TABLE OF CONTENTS

| <u>Testimony</u> | <u>Page</u> |
|--|-------------|
| Deposition Testimony of Lynn Sansoucie | |
| January 13, 2005 | B-1 |
| Scientific Presentations (Deposition Exhibits) | B-96 |
| <u>Affidavits</u> | |
| Affidavit of Marc Portmann | |
| February 14, 2005 | B-99 |
| <u>Documents</u> | |
| Letter to M. Portmann from L. Sansoucie | |
| October 2000..... | B-106 |
| L. Sansoucie Resume | |
| October 2000..... | B-107 |
| L. Sansoucie's Application for Employment at RAD | |
| October 25, 2000..... | B-110 |
| L. Sansoucie's Time Sheets | |
| October 28, 2000 to May 12, 2001 | B-112 |
| E-Mail Communication from Dr. Feinberg to L. Sansoucie | |
| May 6, 2001 | B-128 |
| Payroll Records for L. Sansoucie | |
| November 2000 to December 2003 | B-129 |
| Letter of Resignation | |
| February 4, 2004 | B-132 |
| L. Sansoucie Resume | |
| February 9, 2004 | B-133 |
| Medical Technologist Certificate of L. Sansoucie..... | B-137 |
| Clinical Laboratory Certificate of L. Sansoucie | B-138 |

| | |
|--|-------|
| Job Description for Embryologist at RAD..... | B-139 |
| Job Description for Andrology/Endocrine Technician at RAD..... | B-143 |
| L. Sansoucie Business Card..... | B-147 |
| Scientific Presentations..... | B-96 |
| Defendant's Answers to Plaintiff's Interrogatories January 14, 2005 | B-148 |

eggs and sperm from the bodies of male and female partners, and placing them together to fertilize. If fertilization occurs, the embryo is then transferred several days later into the female's uterus. There are several critical steps in an IVF procedure, all of which depend upon the skill and judgment of RAD's physicians, embryologists, and technologists in the Andrology, Endocrine, and IVF Labs .

8. Prior to the actual egg retrieval, the female patient undergoes a stimulation period where her ovaries are primed to produce the maximum number of viable eggs. During this period known as "ovarian stimulation", RAD provides its patients with medication to prevent the eggs from releasing prematurely and to induce the ovaries to produce more than one egg. The greater the number of eggs that are produced, the greater likelihood fertilization will occur. Therefore, the timing, dosage, and administration of the medications are critical to the success of the cycle. Excessive amounts of medications can result in hyperstimulation of the ovaries, whereas insufficient quantities of the drugs can result in an unsuccessful cycle leading to cancellation.

9. The Endocrine Lab runs endocrine assays to measure and quantify hormone levels in the female's blood during this critical stage. The results collected by the Endocrine Lab will indicate when the time is optimal for administering a hormone (i.e., human chorionic gonadotropin ("HCG")) to stimulate the final maturation of the ovaries. Within the next 36 hours, the eggs are then surgically retrieved from the female patient.

10. Following retrieval, the eggs are turned over to the embryologist in the IVF Lab. Among other things, the embryologist conducts an "egg find", and

patiently searches for the healthy eggs, and prepares them for fertilization. Meanwhile, a sperm sample is also prepared to yield the strongest, healthiest, and most active sperm.

11. In the IVF Lab, the sperm is then injected directly into the egg for fertilization. With the aid of microscopic instruments, RAD uses a specialized laboratory procedure, known as "Intracytoplasmic Sperm Injection" ("ICSI") to enhance the chances for fertilization. Rather than simply placing the eggs and sperm into a laboratory dish to fertilize, ICSI allows RAD's specially trained embryologist to micro-manipulate each egg with a needle and then inject the egg with a live sperm. When the embryo develops, the embryo is then surgically transferred into the patient's uterus. If there are any remaining embryos that are not needed for the current IVF cycle, the embryologist can freeze them in the IVF Lab for a future cycle.

12. I recommended to my supervisor that RAD hire Lynn Sansoucie ("Sansouie") due to the breadth of her specialized education and employment experience she represented to have.

13. I also recognized Sansoucie already had experience in IVF from Bryn Mawr. RAD offered her a position as a full-time embryologist with an annualized salary and benefits.

14. Not all practices perform IVF the same way. Each IVF practice has different laboratory protocols and procedures requiring even the most experienced embryologists to adapt. Therefore, I trained Sansoucie to learn RAD's methodologies.

15. Sansoucie's role in the IVF Lab required her to exercise judgment. For example, she stripped the cells around an egg with an enzyme (i.e., "hyaluronidase"). This process required her to assess what size pipette to use, how much to strip the egg,

and when to strip the egg. Sansoucie also had to assess the difference between a mature and immature egg.

16. Sansoucie also monitored embryos for their proper development and evaluated their quality. This required her to recognize the qualities of a poorly developed embryo and a healthy one.

17. Each embryo has varying characteristics, and freezing embryos required Sansoucie to know how to prepare the appropriate solutions. Sansoucie also had to assess how to package the embryos for future patient use.

18. She thawed embryos for future use in IVF cycles requiring She therefore had to know how to prepare the appropriate solutions based on the characteristics of the embryos.

19. Because of the nature of these and other responsibilities, I recognized the need for RAD's embryologists to receive continual professional training and education. For example, Dr. Tucker visited RAD's laboratories and spent time working directly with Sansoucie and and I. My training with Dr. Tucker, as well as Plaintiff's, involved the daily operation of the IVF Lab, including egg retrievals, ICSI, embryo freezing, embryo transfer, assisted hatching, and endocrine testing.

20. My experiences at RAD lead me to recognize that patients rely on the diligence and judgment of embryologists who handles their eggs, sperm, and embryos. Patients' hopes, dreams, and finances often hang in the balance with every single embryo that is created in the IVF Lab. A single IVF procedure at RAD can cost up to \$15,000. Many couples take out substantial personal or family loans, including risking

equity in their homes, to pay for just one single attempt at IVF. Some couples will pay \$50,000 to \$100,000 for the uncertain chance of achieving just one pregnancy.

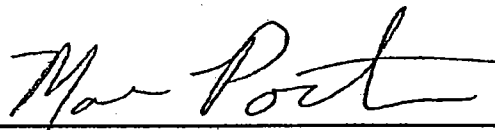
21. As an embryologist at RAD, my judgment, as well as Sansoucie's judgment, had to be precise and calculated. If, for example, a patient's egg was not stripped properly, the eggs could be ruined or damaged causing cancellation of the entire cycle. If an immature egg for fertilization rather than a mature one, fertilization could fail. If the ICSI procedure was not executed properly, an egg could be ruined and fertilization would not happen. If embryos were mishandled during freezing or thawing, there is a significant risk of embryo destruction. Even mistakes in preparing freezing solutions for embryos could have significant consequences, especially for cancer patients facing radiation or chemotherapy and are depending on their embryos to survive

22. From my experience, it is very beneficial for embryologists to collaborate during IVF cycles to verify the multiple steps in the IVF process, including labeling and identifying of the culture dishes, the "mating" of the right eggs with the right sperm, the optimal embryos to prepare for transfer to the patient's uterus, and the actual loading of the transfer catheter with the correct embryos prior to the physician carrying out the transfer.

23. For example, misjudgment in the Andrology and Endocrine Labs can also ruin an entire IVF cycle for a patient. An error in processing sperm could lead to poor or suboptimal sperm recovery causing fertilization to fail. If an unhealthy specimen is selected, fertilization may not occur. If a sample is not frozen or thawed properly and eggs were ready for fertilization, the result could be unsuccessful.

24. In the Endocrine Lab, if endocrine assays are not precisely run,

eggs could be retrieved at the wrong time and not be able to be fertilized. Or, if endocrine assays are improperly run during an IUI cycle, the inseminations could be carried out at the wrong time of the woman's cycle, dooming the process to fail. Incorrect endocrine assays can also put the patient at medical risk for excess ovarian stimulation, excess egg release, and even ovarian hyperstimulation syndrome, a life-threatening medical problem.



Marc Portmann

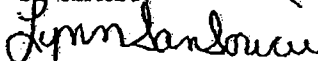
STATE OF DELAWARE
NEW CASTLE COUNTY
THIS INSTRUMENT WAS ACKNOWLEDGED
BEFORE ME, JASON WARREN
ON 02/14/05


NOTARY PUBLIC

Dear MARC:

I AM A MEDICAL TECHNOLOGIST WITH 24 YEARS EXPERIENCE. I AM PROFICIENT IN, ANDROLOGY, IVF RETREIVALS, RIA, HEPATITIS TESTING, IMMUNOASSAYS, VIRAL TESTING, ELECTROPHORESIS, IMMUNOLOGY AND QUALITY CONTROL. MY SUPERVISORY EXPERIENCE LED ME TO BE A GOOD TEAM LEADER, LOYAL PROFESSIONAL AND HAVE EXCELLENT PEOPLE SKILLS. I HOPE YOUR FACILITY WILL GIVE ME THIS OPPORTUNITY TO USE MY MANY SKILLS AND BE AN ASSET TO YOU AS WELL.

SINCERELY,



LYNN SANSOUCIE

856-783-9385

610-526-8950

B - 106

Lynn SanSoucie
3 Warwick Road, Stratford, NJ 08084
(856) 783-9385
lsan@worldnet.att.net

PROFILE

Senior Medical Technologist with 26 years experience in hematology, chemistry, radioimmunoassay, urinalysis, microbiology and immunology. Excellent people, communication, and leadership skills. Ability to juggle multiple priorities. Perfect attendance. Loyal professional and dedicated team player. Additional areas of expertise include:

- Chemistry
- Hematology
- Radioimmunoassay
- Immunoassays
- Hepatitis testing
- Microbiology
- Phlebotomy
- Oncology
- Quality Control
- Strategic Planning
- Training and Organizational Development
- Computer (Sunquest, Medlab, TDS)

Professional Experience

OUR LADY OF LOURDES MEDICAL CENTER, Camden, NJ (1988-1999)

Senior Medical Technician

- Supervised staff of three in administering all tests.
- Set up and maintained detailed quality control, daily processes, and evaluated performance.
- Performed over 700 hepatitis tests monthly, interpreted and evaluated results, entered results into computer.
- Set up instrumentation and procedure manuals according to CAP regulations.
- Reported daily to CDC positive infectious diseases.
- Trained personnel in procedures, instrumentation, policies, and interpretation of results.
- Ensure quality and integrity of chemistry lab at all times
- Taught students from an accredited college how to conduct tests.
- Problem-solved and fixed instrumentation and equipment; performed troubleshooting.
- Ordered all supplies for department.
- Maintained positive working relationship with patients, nurses, physicians, and staff.

LYNN SANSOUCIE

METROPOLITAN CENTRAL, Philadelphia, PA (1975-1988)

Medical Technician

- Performed multiple chemistry, hematology, and RIA tests. Disposed of waste in compliance with CDC rules.
- Set up laboratory for electrophoresis testing.
- Maintained detailed quality control logs.
- Ran urinalysis department.
- Supervised central receiving department and phlebotomy.
- Maintained positive working relationship with patients, physicians, nurses, and staff.

DR. RICHARD GORDON, ONCOLOGIST, Cherry Hill, NJ. (1985-1988)

Supervisor, Oncology Laboratory

- Set up and maintained oncology lab, including instrumentation and supplies needed.
- Phlebotomy, took vital signs.
- Charted all lab results and vital signs.
- Maintained positive working relationship with patients, families, physicians, nurses, and staff.
- Logged all quality control daily and all procedure manuals.

EDUCATION

AS, Medical Technology 1975

Hahnemann Medical College, Philadelphia, PA.

BS, Healthcare Administration Degree Candidate, expected 2006

California College of Health Science, National City, CA

CONTINUING EDUCATION AND TRAINING

Abbott Commander, Dallas, TX. 1997

Acs 180, Chiron Diagnostic, Ohio. 1994

Abbott, IMX, Dallas, TX. 1990

CERTIFICATIONS

MLT, CLT, CLP, AS

COMPUTER SKILLS

Sunquest 5.2, Medlab, TDS, Windows 98

AWARDS AND RECOGNITION

Certificate of Merit

BRYN MAWR REPRODUCTIVE CENTER, BRYN MAWR, PA (FEB. 2000-PRESENT)

- ANDROLOGY, SPA, SPERM COUNT, MORPHOLOGY (KRUEGER), ANTIBODY TESTING, IVF RETREIVALS.

APPLICATION FOR EMPLOYMENT

(PRE-EMPLOYMENT QUESTIONNAIRE) (AN EQUAL OPPORTUNITY EMPLOYER)

PERSONAL INFORMATION

DATE 10-25-10

NAME SanSoucie Lynn Tina SOCIAL SECURITY NUMBER 163488910

PRESENT ADDRESS 3 Warwick Rd Stratford NJ 08084

PERMANENT ADDRESS _____

PHONE NO. 856-783-9385 ARE YOU 18 YEARS OR OLDER? Yes ☒ No ☐

ARE YOU PREVENTED FROM LAWFULLY BECOMING EMPLOYED IN THIS COUNTRY BECAUSE OF VISA OR IMMIGRATION STATUS? Yes ☐ No ☒

EMPLOYMENT DESIRED

POSITION Andrologist, IVF DATE YOU CAN START 11-01-00 SALARY DESIRED _____

ARE YOU EMPLOYED NOW? yes IF SO MAY WE INQUIRE OF YOUR PRESENT EMPLOYER? _____

EVER APPLIED TO THIS COMPANY BEFORE? NO WHERE? _____ WHEN? _____

REFERRED BY TJF website

| EDUCATION | NAME AND LOCATION OF SCHOOL | *NO OF YEARS ATTENDED | *DID YOU GRADUATE? | SUBJECTS STUDIED |
|--|--|----------------------------|--------------------|-----------------------------------|
| GRAMMAR SCHOOL | <u>Fairview, Wilsonboro, Pa.</u> | <u>7</u> | | |
| HIGH SCHOOL | <u>Wilson High - Wilsonboro Pa</u> <u>Cherry Hill West - Cherry Hill NJ</u> | <u>4</u> <u>2</u> | <u>yes</u> | |
| COLLEGE | <u>Hahnemann</u> <u>Rowan</u> <u>ECHE</u> | <u>3</u> <u>present</u> | <u>yes</u> | <u>med tech</u> <u>-BSHCAM</u> |
| TRADE, BUSINESS OR CORRESPONDENCE SCHOOL | | | | |

GENERAL

SUBJECTS OF SPECIAL STUDY OR RESEARCH WORK

Andrology, repro, immunology, chem, Andro.

SPECIAL SKILLS _____

ACTIVITIES: (CMC, ATHLETIC, ETC.)

EXCLUDE ORGANIZATIONS, THE NAME OF WHICH INDICATES THE RACE, CREED, SEX, AGE, MARITAL STATUS, COLOR OR NATION OF ORIGIN OF ITS MEMBERS.

U.S. MILITARY OR NAVAL SERVICE _____ RANK _____ PRESENT MEMBERSHIP IN NATIONAL GUARD OR RESERVES _____

*This form has been revised to comply with the provisions of the Americans with Disabilities Act and the final regulations and interpretive guidance promulgated by the EEOC on July 26, 1991.

FORMER EMPLOYERS (LIST BELOW LAST THREE EMPLOYERS, STARTING WITH LAST ONE FIRST).

| DATE MONTH AND YEAR | NAME AND ADDRESS OF EMPLOYER | SALARY | POSITION | REASON FOR LEAVING |
|---------------------------|----------------------------------|-------------|----------------------------|----------------------------|
| 3 FROM 1975 TO 1988 | Metropolitan Central Phila Pa | 13.00 hr | Supervisor Rid. Control | Home Chem Hospital Chem |
| 2 FROM 1988 TO 9-99 | LADY Lourdes Camden NJ | 22.00 hr | Supervisor Special Chem | LAD Off |
| FROM 2-2000 TO Present | Bryn Mawr Repro Ctr | | Reprod Biologist | |
| 1 FROM TO | | | | |

WHICH OF THESE JOBS DID YOU LIKE BEST? Bryn Mawr ReproWHAT DID YOU LIKE MOST ABOUT THIS JOB? Challenging + rewarding

REFERENCES: GIVE THE NAMES OF THREE PERSONS NOT RELATED TO YOU, WHOM YOU HAVE KNOWN AT LEAST ONE YEAR.

| NAME | ADDRESS | BUSINESS | YEARS ACQUAINTED |
|--------------------|------------|-----------------------------------|---------------------|
| 1 Claudia Kulgor | Ortho. Oua | Ortho. Oua 1800 373008 EXT 136 | 8 |
| 2 Maria Vassenberg | | Chiron 1800 543 8093 2733 | |
| 3 Steve Batchelor | Biomer. ex | 1800 638 8435 | |

THE FOLLOWING STATEMENT APPLIES IN: MARYLAND & MASSACHUSETTS. (fill in name of state)
 IT IS UNLAWFUL IN THE STATE OF _____ TO REQUIRE OR ADMINISTER A LIE DETECTOR TEST AS A
 CONDITION OF EMPLOYMENT OR CONTINUED EMPLOYMENT. AN EMPLOYER WHO VIOLATES THIS LAW SHALL BE
 SUBJECT TO CRIMINAL PENALTIES AND CIVIL LIABILITY.

IN CASE OF
EMERGENCY NOTIFYNAME Michael SanSoucie

Signature of Applicant

ADDRESS 3 Warwick RdPHONE NO. 857-783-9385CELL PHONE 609-314-0194

"I CERTIFY THAT ALL THE INFORMATION SUBMITTED BY ME ON THIS APPLICATION IS TRUE AND COMPLETE, AND I UNDERSTAND THAT IF ANY FALSE INFORMATION, OMISSIONS, OR MISREPRESENTATIONS ARE DISCOVERED, MY APPLICATION MAY BE REJECTED AND, IF I AM EMPLOYED, MY EMPLOYMENT MAY BE TERMINATED AT ANY TIME. IN CONSIDERATION OF MY EMPLOYMENT, I AGREE TO CONFORM TO THE COMPANY'S RULES AND REGULATIONS, AND I AGREE THAT MY EMPLOYMENT AND COMPENSATION CAN BE TERMINATED, WITH OR WITHOUT CAUSE, AND WITH OR WITHOUT NOTICE, AT ANY TIME, AT EITHER MY OR THE COMPANY'S OPTION. I ALSO UNDERSTAND AND AGREE THAT THE TERMS AND CONDITIONS OF MY EMPLOYMENT MAY BE CHANGED, WITH OR WITHOUT CAUSE, AND WITH OR WITHOUT NOTICE, AT ANY TIME BY THE COMPANY. I UNDERSTAND THAT NO COMPANY REPRESENTATIVE, OTHER THAN ITS PRESIDENT, AND THEN ONLY WHEN IN WRITING AND SIGNED BY THE PRESIDENT, HAS ANY AUTHORITY TO ENTER INTO ANY AGREEMENT FOR EMPLOYMENT FOR ANY SPECIFIC PERIOD OF TIME, OR TO MAKE ANY AGREEMENT CONTRARY TO THE FOREGOING."

DATE

10-25-00

SIGNATURE

Michael SanSoucie

DO NOT WRITE BELOW THIS LINE

INTERVIEWED BY

DATE

REMARKS:

NEATNESS

ABILITY

HIRED: ☐ Yes ☐ No

POSITION

DEPT.

SALARY/WAGE

DATE REPORTING TO WORK

APPROVED: 1.

EMPLOYMENT MANAGER

2.

DEPT. HEAD

3.

GENERAL MANAGER

This form has been designed to strictly comply with State and Federal fair employment practice laws prohibiting employment discrimination. This Application for Employment Form is sold for general use throughout the United States. TOPS assumes no responsibility for the inclusion in said form of any questions which, when asked by the Employer of the Job Applicant, may violate State and/or Federal Law.



BARBARA A. MCGUIRK, M.D.

RONALD E. FEINBERG, M.D., Ph.D.

4600 NEW LINDEN HILL ROAD
BROWNSTONE PLAZA, SUITE 102
WILMINGTON, DE 19808

PHONE 302-633-9533
FAX 302-633-4435

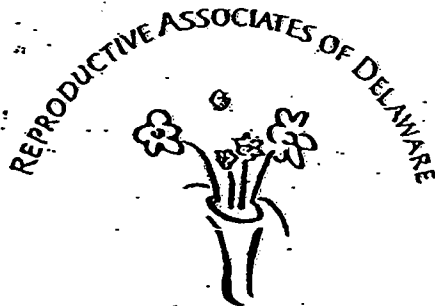
EMPLOYEE TIME SHEET

NAME: Lynn SanSavie

Week Beginning: _____ Week Ending: 10-28-04

| | IN | OUT | IN | OUT | TOTAL |
|-----------|----|-----|----|-----|-------|
| Monday | | | | | |
| Tuesday | | | | | |
| Wednesday | | | | | |
| Thursday | | | | | |
| Friday | | | | | |
| Saturday | 8 | 10 | | | (2) |
| Sunday | | | | | |
| | | | | | |

Employee Signature: Lynn SanSavie



BARBARA A. MCGUIRK, M.D.

RONALD E. FEINBERG, M.D., Ph.D.

4600 NEW LINDEN HILL ROAD
BROWNSTONE PLAZA, SUITE 102
WILMINGTON, DE 19808

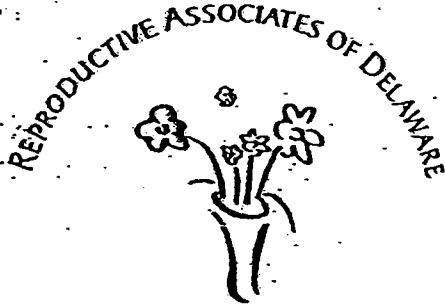
PHONE 302-633-9533
FAX 302-633-4435

EMPLOYEE TIME SHEET

NAME: Lynn SanbornWeek Beginning: 11-4-05 Week Ending: _____

| | IN | OUT | IN | OUT | TOTAL |
|-----------|----|-----|----|-----|-------|
| Monday | | | | | |
| Tuesday | | | | | |
| Wednesday | | | | | |
| Thursday | | | | | |
| Friday | | | | | |
| Saturday | 8 | 10 | | | 2 |
| Sunday | | | | | |
| | | | | | |

Employee Signature: Lynn Sanborn



BARBARA A. MCGUIRK, M.D.

RONALD E. FEINBERG, M.D., Ph.D.

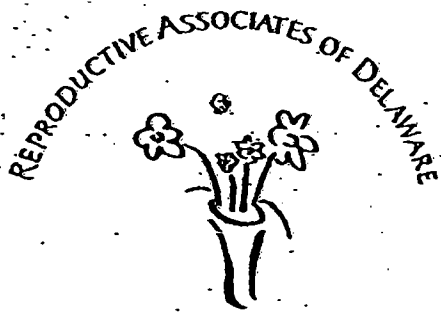
4600 NEW LINCOLN HILL ROAD
BROWNSTONE PLAZA, SUITE 102
WILMINGTON, DE 19808

PHONE 302-633-9533
FAX 302-633-4435

EMPLOYEE TIME SHEETNAME: Lynn SansoneWeek Beginning: 11-11 Week Ending: 11-12-01

| | IN | OUT | IN | OUT | TOTAL |
|-------------------|----|-------|----|-----|-------|
| Monday | / | | | | |
| Tuesday | | | | | |
| Wednesday | | | | | |
| Thursday | | | | | |
| Friday | | | | | |
| 11/12/01 Saturday | 8 | 11 AM | | | (3) |
| Sunday | | | | | |
| | | | | | |

Employee Signature: Lynn Sansone



BARBARA A. MCGUIRK, M.D.

RONALD F. FEINBERG, M.D., Ph.D.

4600 NEW LINDEN HILL ROAD
BROWNSTONE PLAZA, SUITE 102
WILMINGTON, DE 19808

PHONE 302-633-7533
FAX 302-633-4435

EMPLOYEE TIME SHEETNAME: Lynn SansoneWeek Beginning: 11/18-00 Week Ending: 11/19-00

| | IN | OUT | IN | OUT | TOTAL |
|-----------|-----|-------|----|-----|-------|
| Monday | | | | | |
| Tuesday | | | | | |
| Wednesday | | | | | |
| Thursday | | | | | |
| Friday | | | | | |
| Saturday | 8Am | 11:30 | | | 3½ |
| Sunday | 8Am | 10:00 | | | 2 |
| | | | | | |

Employee Signature: Lynn Sansone

12½



BARBARA A. MCGUIRK, M.D.

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PHONE 302-633-9533
FAX 302-633-4435

EMPLOYEE TIME SHEETNAME: Lynn SansoneWeek Beginning: 12-2

Week Ending: _____

| | IN | OUT | IN | OUT | TOTAL |
|-----------|----|------|----|-----|-------|
| Monday | | | | | |
| Tuesday | | | | | |
| Wednesday | | | | | |
| Thursday | | | | | |
| Friday | | | | | |
| Saturday | 8 | 11 | | | |
| Sunday | 8 | 1130 | | | |
| | | | | | |

65

Employee Signature: Lynn Sansone

6 1/2 hr



BARBARA A. MCGUIRK, M.D.

RONALD E. FEINBERG, M.D., Ph.D.

4600 NEW LINDEN HILL ROAD
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WILMINGTON, DE 19808PHONE 302-633-9533
FAX 302-633-4435

*Pa. 12-7
December*

EMPLOYEE TIME SHEETNAME: Lynn SansoneWeek Beginning: 12-23 Week Ending: _____

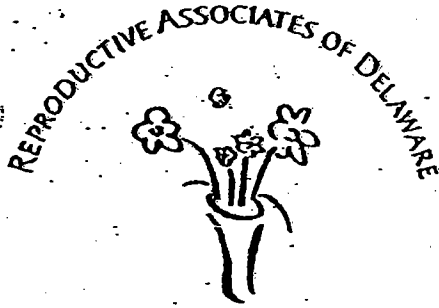
| | IN | OUT | IN | OUT | TOTAL |
|-----------|------|-------|----|-----|-------|
| Monday | | | | | |
| Tuesday | | | | | |
| Wednesday | | | | | |
| Thursday | | | | | |
| Friday | | | | | |
| Saturday | 7:30 | 10:30 | | | |
| Sunday | 7:30 | 10:30 | | | |
| | | | | | |

③

Employee Signature: Lynn Sansone

Jan Paych

*owe from
2hrs December put in
12-23 - 3
12-24 - 3
6 (6hrs)*



BARBARA A. MCGUIRK, M.D.

RONALD E. FEINBERG, M.D., Ph.D.

4600 NEW LINDEN HILL ROAD
BROWNSTONE PLAZA, SUITE 102
WILMINGTON, DE 19808

PHONE 302-633-9533
FAX 302-633-4435

For
January
2001
Paycheck

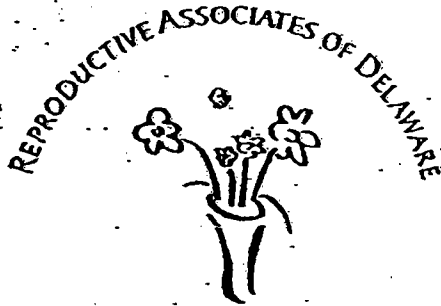
EMPLOYEE TIME SHEETNAME: Lynn SanbueWeek Beginning: 12-26-00 Week Ending: _____

| | IN | OUT | IN | OUT | TOTAL |
|-----------|------|-----------------|----|-----|-------|
| Monday | | | | | |
| Tuesday | 8 AM | 2 ¹⁵ | | | |
| Wednesday | | | | | |
| Thursday | | | | | |
| Friday | | | | | |
| Saturday | | | | | |
| Sunday | | | | | |
| | | | | | |

6.44

Employee Signature: Lynn Sanbue

6.25



BARBARA A. MCGUIRK, M.D.

RONALD E. FENBERG, M.D., Ph.D.

4600 NEW LINDEN HILL ROAD
BROWNSTONE PLAZA, SUITE 102
WILMINGTON, DE 19808

PHONE 302-633-9533
FAX 302-633-4435

*For Jan
Dyck*

EMPLOYEE TIME SHEETNAME: Lynn SansoneWeek Beginning: 1-6-01

Week Ending: _____

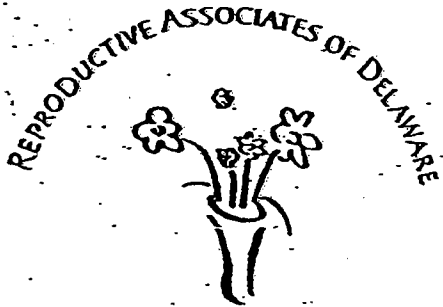
| | IN | OUT | IN | OUT | TOTAL |
|-----------|------|-----|----|-----|-------|
| Monday | | | | | |
| Tuesday | | | | | |
| Wednesday | | | | | |
| Thursday | | | | | |
| Friday | | | | | |
| Saturday | 8:30 | 11 | | | |
| Sunday | 7:30 | 12 | | | |
| | | | | | |

Employee Signature: Lynn Sansone

Overtime hours:

Also Dec 23, 24, 26 worked
7:30-11:30 (8-2:30)

*1-6
1-7
2.5
4.5
7.0*



BARBARA A. MCGUIRK M.D.

4600 NEW LINDEN HILL ROAD
BROWNSTONE PLAZA SUITE 102
WILMINGTON, DE 19808

RONALD E. FEINBERG, M.D., Ph.D.

PHONE 302-633-9533
FAX 302-633-4435

EMPLOYEE TIME SHEET

NAME: Lynn SansoneWeek Beginning: 1-20-01 Week Ending: 1-21-01

| | IN | OUT | IN | OUT | TOTAL |
|-----------|---------|-------|----|-----|-------|
| Monday | | | | | |
| Tuesday | | | | | |
| Wednesday | | | | | |
| Thursday | | | | | |
| Friday | | | | | |
| Saturday | 7:30 AM | 11:45 | | | 4.25 |
| Sunday | 8 AM | 11:15 | | | 3.25 |
| | | | | | |

7.50

Employee Signature: Lynn Sansone

Jan Paycheck

REPRODUCTIVE ASSOCIATES OF DELAWARE



BARBARA A. MCGUIRK, M.D.

RONALD E. FEINBERG, M.D., Ph.D.

4600 NEW LINDEN HILL ROAD
BROWNSTONE PLAZA, SUITE 102
WILMINGTON, DE 19808

PHONE 302-633-9533
FAX 302-633-4435

For Feb Paycheck

EMPLOYEE TIME SHEET

NAME: Lynn San Soucie

Week Beginning: 2-3-00 Week Ending: Feb 4

| | IN | OUT | IN | OUT | TOTAL |
|-----------|----|-------|----|-----|-------|
| Monday | | | | | |
| Tuesday | | | | | |
| Wednesday | | | | | |
| Thursday | | | | | |
| Friday | | | | | |
| Saturday | 8 | 11 AM | | | |
| Sunday | 8 | 10:30 | | | |
| | | | | | |

5 1/2 hours

Employee Signature: Lynn San Soucie

5 1/4 hours

10 3/4 hours

B - 121



BARBARA A. MCGUIRK, M.D.

4600 NEW LINDEN HILL ROAD
BROWNSTONE PLAZA, SUITE 102
WILMINGTON, DE 19808

RONALD E. FEINBERG, M.D., Ph.D.

PHONE 302-633-9533
FAX 302-633-4435

EMPLOYEE TIME SHEET

NAME: Lynn San SouceWeek Beginning 2-17-01 Week Ending 2-18

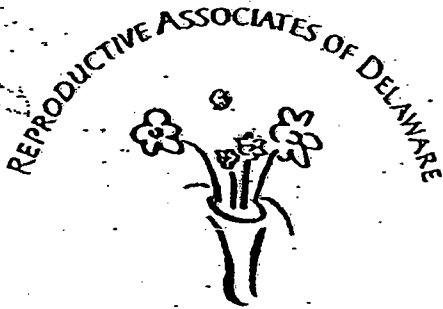
| | IN | OUT | IN | OUT | TOTAL |
|-----------|-----------------|------------------|----|-----|-------|
| Monday | | | | | |
| Tuesday | | | | | |
| Wednesday | | | | | |
| Thursday | | | | | |
| Friday | 8:00 | 10:30 | | | |
| Saturday | 8 | 10:45 | | | 2:45 |
| Sunday | 8 | 10:30 | | | 2:30 |
| | | | | | 4:75 |

5:15

Employee Signature: Lynn San Souce

For Feb Paycheck

5 hours 15 min



BARBARA A. MCGUIRK, M.D.

RONALD E. FEINBERG, M.D., Ph.D.

4600 NEW LINDEN HILL ROAD
BROWNSTONE PLAZA, SUITE 102
WILMINGTON, DE 19808

PHONE 302-633-7533
FAX 302-633-4435

EMPLOYEE TIME SHEET

NAME: Lynn SansoneWeek Beginning: 3-3-01

Week Ending: _____

| | IN | OUT | IN | OUT | TOTAL |
|-----------|----|-----|----|-----|-------|
| Monday | | | | | |
| Tuesday | | | | | |
| Wednesday | | | | | |
| Thursday | | | | | |
| Friday | | | | | |
| Saturday | 8 | 11 | | | |
| Sunday | 8 | 10 | | | |

(5-hours) + 1 for Feb that we did not include

Employee Signature: L Sansone

For March Paycheck

6 hrs

+ 1 hr



BARBARA A. MCGUIRK, M.D.

4600 NEW LINDEN HILL ROAD
BROWNSTONE PLAZA, SUITE 102
WILMINGTON, DE 19808

RONALD E. FEINBERG, M.D., Ph.D.

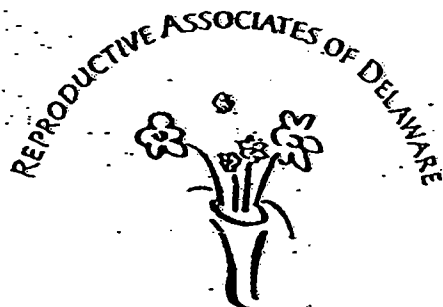
PHONE 302-633-2533
FAX 302-633-4435**EMPLOYEE TIME SHEET**NAME: Lynn SansoneWeek Beginning: 3-17-01 Week Ending: 3-18-01

| | IN | OUT | IN | OUT | TOTAL |
|-----------|------|-------|-------|-----|-------|
| Monday | | | | | |
| Tuesday | | | | | |
| Wednesday | | | | | |
| Thursday | | | | | |
| Friday | | | | | |
| Saturday | 8 | 11:30 | 3 1/2 | | |
| Sunday | 7:30 | 10:00 | 2 1/2 | | |
| | | | | | |

Employee Signature: Lynn Sansone

For March Paycheck

6.0 hrs



BARBARA A. MCGUIRK, M.D.

4600 NEW LINDEN HILL ROAD
BROWNSTONE PLAZA, SUITE 102
WILMINGTON, DE 19808

RONALD E. FEINBERG, M.D., Ph.D.

PHONE 302-633-7533
FAX 302-633-4435**EMPLOYEE TIME SHEET**NAME: Lynn SansoneWeek Beginning: 3-31-01 Week Ending: 4-1-01

| | IN | OUT | IN | OUT | TOTAL |
|-----------|---------|-----|----|-----|-------|
| Monday | | | | | |
| Tuesday | | | | | |
| Wednesday | | | | | |
| Thursday | | | | | |
| Friday | 3-31-01 | | | | |
| Saturday | 8-1145 | | | | |
| Sunday | 8-945 | | | | |

Employee Signature: L SansoneFor ~~April~~
March Paycheck

Hrs total for March

4.0
2.0
6.0

SPECIALIZING IN REPRODUCTIVE ENDOCRINOLOGY, INFERTILITY & PREGNANCY LOSS EVALUATION



BARBARA A. MCGUIRK, M.D.

4600 NEW LINDEN HILL ROAD
BROWNSTONE PLAZA, SUITE 102
WILMINGTON, DE 17808

RONALD E. FEINBERG, M.D., Ph.D.

PHONE 302-633-9533
FAX 302-633-4435**EMPLOYEE TIME SHEET**NAME: Lynn SansoneWeek Beginning: 4-28-01 Week Ending: 4-29-01

| | IN | OUT | IN | OUT | TOTAL |
|-----------|------|-------|----|-----|-------|
| Monday | | | | | |
| Tuesday | | | | | |
| Wednesday | | | | | |
| Thursday | | | | | |
| Friday | | | | | |
| Saturday | 8 Am | 10:30 | | | 2.5 |
| Sunday | 8 | 10:30 | | | 2.5 |

Employee Signature: L. Sansone

For May Paycheck



BARBARA A. MCGUIRK, M.D.

4600 NEW LINDEN HILL ROAD
BROWNSTONE PLAZA, SUITE 102
WILMINGTON, DE 19808

RONALD E. FEINBERG, M.D., Ph.D.

PHONE 302-633-7533
FAX 302-633-4435**EMPLOYEE TIME SHEET**NAME: Lynn SansoneWeek Beginning: 5-12-01 Week Ending: 5-13-01

| | IN | OUT | IN | OUT | TOTAL |
|-----------|----|-------|----|-----|-------|
| Monday | | | | | |
| Tuesday | | | | | |
| Wednesday | | | | | |
| Thursday | | | | | |
| Friday | | | | | |
| Saturday | 8 | 1030 | | | |
| Sunday | 8 | 10:30 | | | |
| | | | | | |

Employee Signature: Lynn Sansone

Marc Portmann

From: TUNSEARCH@aol.com
Sent: Sunday, May 06, 2001 11:38 AM
To: lmsan@worldnet.att.net
Cc: mportm@bellatlantic.net
Subject: Welcome Aboard

Dear Lynn,

We are delighted you will be joining us at Reproductive Associates of Delaware, effective your earliest convenience. The following commits to writing the terms that have been discussed.

1. IVF Laboratory Responsibilities. Our immediate needs are to have you learn all aspects of IVF, ICSI, and micromanipulation as it is carried out at Reproductive Associates. Towards this end, we will make a significant commitment of Marc's time to provide the necessary training. In addition, we are committed to having you attend, at our expense, the ICSI course in Norfolk in July. Because of our relationship with Dr. Michael Tucker, we will also request that you spend some time in his lab in Atlanta and/or at Shady Grove. As a result of these terrific training opportunities, I feel confident that you will soon join Marc in the elite "best 1%" club of embryologists.

2. Andrology/Endocrine Laboratory. Along with Tsai and Marc, you will have responsibilities to help with day-to-day work in this lab, including phlebotomy, endocrine assays, semen analysis, sperm freezing, and sperm preparation for IUIs and IVF. We are also planning a new system by which the laboratory staff will become responsible for preparing and tracking all patient blood labs, whether the tests are run on site or at an outside lab. Marc and Joy will work closely with you to get this new system up and running.

3. Work Schedule. Marc will work with you and decide on a day-to-day basis where your efforts are most required. Currently, our work hours are 8 AM to 4:30 PM. However, there are discussions underway to start patient and lab hours at 7:30 AM. Marc will be responsible for coordinating the weekend laboratory schedule with you and Tsai.

4. Job Title. Everyone at Reproductive Associates has a job title and business cards. I haven't really talked to Marc about this yet, but I'm thinking about something like Associate Lab Manager for your title.

5. Compensation. Your annualized salary for the remainder of 2001 will be \$62,500. We are paid monthly, so your gross monthly salary will be \$5208.33.

In addition, Reproductive Associates has had a 4 year tradition of paying holiday bonuses at year end; we hope that tradition will continue. An annual cost-of-living salary increase (at the minimum) is usually provided each year. Other bonuses and salary increases for our staff are decided on an individualized basis. We will cover your health insurance through COBRA for 18 months, and then convert your coverage to our group policy through BC/BS of DE. There is not yet a 401K plan in effect, but we hope to initiate one within the next 12 months. For the remainder of year 2001, we will provide you with 12 combined time off days (i.e. vacation/sick/personal). For 2002, you will be allotted 20 combined time off days.

I hope this addresses all necessary points to have you become a happy and important member of our staff. We look forward to a rewarding and longterm relationship with you.

Welcome aboard!

Warm regards,

EMPI. SUPPLY

10/04/2004 13:15 3024566812

PAYROLL MANAGEMENT

PAGE 02

| PRODUCTION ASSOCIATES | | | | | | | | | |
|---|------------|------------|-----------|----------|-----------|----------|------|------|------------|
| EARNINGS 1/01/2000 12/31/2003 | | | | | | | | | |
| PAY DATE-PER. END | | | | | | | | | |
| -----HOURS----- | | | | | | | | | |
| CHECK # | | | | | | | | | |
| REGULAR OT TAXABLE PAY OASDI(S.S) MEDICARE FED W/M STATE W/M ST DI/UI LOCAL TAX DED/ALLOW NET PAY | | | | | | | | | |
| ----- | | | | | | | | | |
| 1/30/2003 | 1/31/2003 | | | | | | | | |
| | | 5,248.75 | 342.55 | 80.11 | 625.79 | 225.73 | 0.00 | 0.00 | VOUCHER |
| | | | | | | | | 0.00 | 3,974.57 |
| 2/28/2003 | 2/28/2003 | | | | | | | | |
| | | 5,248.75 | 342.55 | 80.11 | 625.79 | 225.73 | 0.00 | 0.00 | VOUCHER |
| | | | | | | | | 0.00 | 3,974.57 |
| 3/28/2003 | 3/31/2003 | | | | | | | | |
| | | 5,248.75 | 342.55 | 80.11 | 625.79 | 225.73 | 0.00 | 0.00 | VOUCHER |
| | | | | | | | | 0.00 | 3,974.57 |
| 4/30/2003 | 4/30/2003 | | | | | | | | |
| | | 5,248.75 | 342.55 | 80.11 | 625.79 | 225.73 | 0.00 | 0.00 | VOUCHER |
| | | | | | | | | 0.00 | 3,974.57 |
| 5/30/2003 | 5/31/2003 | | | | | | | | |
| | | 5,248.75 | 342.55 | 80.11 | 625.79 | 225.73 | 0.00 | 0.00 | VOUCHER |
| | | | | | | | | 0.00 | 3,974.57 |
| 6/20/2003 | 6/30/2003 | | | | | | | | |
| | | 5,201.44 | 339.46 | 79.39 | 543.13 | 223.11 | 0.00 | 0.00 | VOUCHER |
| | | | | | | | | 0.00 | 4,016.35 |
| 7/31/2003 | 7/31/2003 | | | | | | | | |
| | | 216.57 | 13.43 | 3.14 | 0.00 | 0.00 | 0.00 | 0.00 | 5314 |
| | | | | | | | | 0.00 | 200.00 |
| 7/31/2003 | 7/31/2003 | | | | | | | | |
| | | 5,201.44 | 339.46 | 79.39 | 543.13 | 223.11 | 0.00 | 0.00 | VOUCHER |
| | | | | | | | | 0.00 | 4,016.35 |
| 8/29/2003 | 8/31/2003 | | | | | | | | |
| | | 5,201.44 | 339.46 | 79.39 | 543.13 | 223.11 | 0.00 | 0.00 | VOUCHER |
| | | | | | | | | 0.00 | 4,016.35 |
| 9/30/2003 | 9/30/2003 | | | | | | | | |
| | | 5,201.44 | 339.46 | 79.39 | 543.13 | 223.11 | 0.00 | 0.00 | VOUCHER |
| | | | | | | | | 0.00 | 4,016.35 |
| 10/31/2003 | 10/31/2003 | | | | | | | | |
| | | 5,154.13 | 336.37 | 78.67 | 536.04 | 220.48 | 0.00 | 0.00 | VOUCHER |
| | | | | | | | | 0.00 | 3,982.57 |
| 11/26/2003 | 11/26/2003 | | | | | | | | |
| | | 5,201.44 | 339.46 | 79.39 | 543.13 | 223.11 | 0.00 | 0.00 | VOUCHER |
| | | | | | | | | 0.00 | 4,016.35 |
| 12/19/2003 | 12/31/2003 | | | | | | | | |
| | | 5,201.44 | 339.46 | 79.39 | 543.13 | 223.11 | 0.00 | 0.00 | VOUCHER |
| | | | | | | | | 0.00 | 4,016.35 |
| 12/19/2003 | 12/31/2003 | | | | | | | | |
| | | 829.00 | 51.40 | 12.02 | 0.00 | 0.00 | 0.00 | 0.00 | VOUCHER |
| | | | | | | | | 0.00 | 765.58 |
| 80.75 | | 168,467.86 | 10,733.21 | 2,510.24 | 13,464.10 | 7,043.73 | 0.00 | 0.00 | |
| | | | | | | | | 0.00 | 134,716.58 |

10/09/2004 13:15 3029566812

PAYROLL MANAGEMENT

PAGE 03

| Employee Name (State for) | | Dept. No. | Pays | | | | Taxes | | Deductions / Memos | | Ck. No. |
|-----------------------------|----------------|-----------|---------------|------|-------|----------|---------------|----------|--------------------|--------|----------|
| Emp. No. | SSN No. UCI | | Description | Rate | Hours | Amount | Description | Amount | Description | Amount | |
| Check Date Division No. | | | | | | | | | | | Net Pay |
| *Start* Division: 0 Default | | | | | | | | | | | |
| SANSOUCIE, LYNN TINA | | 1 | 0-Regular Pay | | | 5,525.00 | Federal W/H | 509.20 | 100-401K | 500.00 | 2800010 |
| 21 | 163-48-8710 DE | | | | | | OASDI | 339.46 | 284-DENTAL | 49.80 | 00 |
| 01-30-2004 | 0 | | | | | | Medicare | 79.39 | | | |
| | | | | | | | State W/H: DE | 210.55 | | | |
| Check Totals | | | | | | 5,525.00 | | 1,138.60 | | 549.80 | 3,836.40 |
| SANSOUCIE, LYNN TINA | | 1 | 0-Regular Pay | | | 571.55 | Federal W/H | 0.00 | | | 2000026 |
| 21 | 163-48-8710 DE | | | | | | OASDI | 35.44 | | | 00 |
| 02-27-2004 | 0 | | | | | | Medicare | 8.29 | | | |
| Check Totals | | | | | | 571.55 | | 43.73 | | | 527.82 |
| Employee Totals | | | | | | 6,096.55 | | 1,182.33 | | 549.80 | 4,364.42 |
| *End* Division: 0 Default | | | | | | | | | | | |
| Company Totals | | | | | | 6,096.55 | | 1,182.33 | | 549.80 | 4,364.42 |

Run Date: 10-04-2004

Report Period 01-01-2004 through 10-04-2004

Co. No.: 100013 REPRODUCTIVE ASSOCIATES

EMPLOYEE DETAIL EARNINGS

Page: 1

Dr. Feinberg, Dr. McGuirk, and Marc:

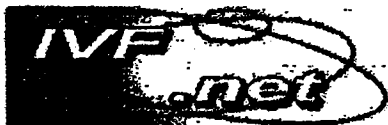
02/04/04

I would like to let you know that I am resigning from my position at RAD. I find I can no longer work here under the circumstances. I will no longer tolerate the mental abuse I have been subject to or the disrespect and accusations. I am giving you my two weeks notice or leave at the end of this cycle or if you prefer at the end of the day.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lynn SanSoucie".

Lynn SanSoucie



Monday 09 February, 2004

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Click here to select search....

Search!

Resume - Lynn SanSoucie

Resume Details

Lynn SanSoucie
Resume Number: 486

Expires On: 21/03/2004

Tell a Friend



Tools

[Add to my Checklist](#)

[Contact Candidate](#)

Lynn SanSoucie embryologist

Contact Information

Name: Lynn SanSoucie
Location: Sicklerville, NJ 08081 USA
Telephone:
E-Mail: mbass.ltech@verizon.net
Personal Web Site:
Contact Candidate: [Contact Candidate On-line](#)

Profile/Objectives

To obtain a full-time embryologist position in an established clinic in the New Jersey/Philadelphia area.

Main Resume

Lynn SanSoucie MT. CLP., NCA CLT

59 Monticello Drive
 Sicklerville, N.J. 08081
 (856) 783-9385
mbass.ltech@verizon.net

Education:
 California College Of Health Science
 Present
 National City, Ca
 B.S.HCA

Hahnemann Medical College
 1973-1975
 Philadelphia, PA
 M.L.T. Assoc.

Cherry Hill Medical Center
 1975-1976
 School of Laboratory Science
 Cherry Hill, NJ
 Cert Program

Rowan College
 1983-1984

Glassboro, NJ
Biology

Cherry Hill West High School
1971-1973
Chapel Avenue
Cherry Hill, NJ

Professional Employment
Supervisor RIA and Urinalysis Lab
1975-1987
Metropolitan Central Hospital
201 N. 8th street
Philadelphia, PA

Responsible for the daily operation of the Radiolimmunoasy Dept. and Urinalysis Dept. Duties included Quality Control and strict monitoring of Isotope usage and disposal of this material. Responsible for training employees, making sure their safety is monitored closely and ordering what ever supplies necessary for the department to run efficiently. Reported to the State Health Department any positive infectious diseases and met with a Health Dept. representative monthly. Tests that were run and monitored , RIA Hepatitis testing, RIA endocrine testing and Urinalysis. Machines used were Gamma Counter, centrifuge, and microbead washer.

Supervisor Central Receiving Department
1987-1988
Metropolitan Central Hospital
201 N. 8th street
Philadelphia, PA

Responsible for overseeing the daily operation of the blood collection and processing and distribution to every lab department. Monitored lab requisitions and specimen drawing on all floors of the hospital as well as outpatient department. Made sure specimens drawn correctly and delivered to their proper destination in good condition.

Senior Tech of RIA/Special Chemistry Our Lady Of Lourdes Medical Center
1988-2000
1600 Haddon Avenue
Camden, NJ

Processed and ran all bloods for Hepatitis testing and Endocrinology Labs By RIA and then later converted to EIA and MEIA. Gathered and monitored all QC data for the department and reported to Bio Rad the QC. Reported all infectious diseases to infection control, working with the Hospital Infection Control Supervisor and the State Department of Health. Made decisions on instrumentation brought into the department and

the ordering of supplies to be used. Maintained service and repairs on all instruments in the department as needed. Instruments used, IMX and TDX(Abbott), Vidas, ACS180, Gamma Counter, and centrifuge.

Director: Dr. William Harrer

Andrology/Embryology Bryn Mawr Hospital IVF
2000-2001

Bryn Mawr Avenue

Bryn Mawr, PA

Andrology lab processing sperm, freezing sperm, SPA'S, SA, AB sperm. Reported SA to Embryologist for IVF. Reported all results to Physicians. Started training in Embryology including retrievals, media prep, setup, freeze, and patient orientation interviews.

Directors: Dr. Michael Glassner and Dr. Pfeffer

Embryologist

Assistant Lab Manager 2001-2004

Reproductive Associates of Delaware

4735 Ogetown-Stanton Road

Map 2 Suite 3217

Newark, DE 19713

Specific training includes all aspects of the ART Department. All Andrology testing, IVF-ET, embryo freezing, Micromanipulation of Gametes, including assisted hatching, Intra-Cytoplasmic sperm injection, Laser Hatching, and operation of Tosoh instrument.

Maintain blood collection and Lab Corp operations with Lab Corp Representative. Report all statistics and SART information in appropriate files. Ordering or supplies when needed.

Directors: Michael Tucker

Personal Details

Specific training includes all aspects of the ART Department. All Andrology testing, IVF-ET, embryo freezing, Micromanipulation of Gametes, including assisted hatching, Intra-Cytoplasmic sperm injection, Laser Hatching, and operation of Tosoh instrument.

Maintain blood collection and Lab Corp operations with Lab Corp Representative. Report all statistics and SART information in appropriate files.

Professional Societies:

\$American Society for Reproductive Medicine

\$Delaware Valley Reproductive Biologists

\$PARES

\$NCA

\$United Clinical Practitioners

Interests and Hobbies

Professional Meetings:

Attend 59th Annual Meeting Of American Society For Reproductive Medicine. October 11-15th, 2003. San Antonio, Texas. Attended two one day Post

Graduate Courses, "Tomorrows IVF Laboratory: From Basic Research to Technology Transfer", and "Good to Great: A detailed Analysis of IVF Laboratory Techniques to Improve Outcome." Roundtable Discussion, San Antonio October 13, 2003 "Surviving the CAP Inspection." RAD teleconference by Physician Office Lab News. "The Final CLIA QC Regs." May 14, 2003 Newark Delaware.

Attended a one day class Excel 2000 Level I, July 11, 2002. Training Works Inc., Stratford, NJ.

Attended a one day class Excel 2000 Level II, August 22, 2002. Training Works Inc., Stratford, NJ.

Further Information

Professional Training

Jones Institute For Reproductive Medicine Intra-Cytoplasmic Sperm Injection, Assisted Hatching and Microtool preparation. Also visited the IVF Center and toured the facility. June 9-13 2001 Georgia IVF. Observed and trained under Michael Tucker daily operation and procedures in the IVF lab including retrievals, ICSI, Embryo Freeze, transfers, Assisted Hatching, Endocrinology testing, SA. November 23-27 2001

Institute for Reproductive Medicine St. Barnabas Medical Center, one day observation of all aspects of their IVF facility March 8th, 2002

Shady Grove IVF Center, observed a one day onsite observation of the IVF lab, Retrievals, ICSI, transfers, processing sperm, Laser hatching and daily logging of patients results. July 19, 20

From Oocyte to Blastocyst American Board of BioAnalysis. Philadelphia, PA. April 12, 2003

Presentations

Poster Presentations:

The Fate of Non Transferred Embryos After Day 3 Assisted Hatching. L SanSoucie, M Portmann, L Morrison, B McGuirk, M Tucker, R Feinberg. Presented at the 59th Annual Meeting of The American Society For reproductive Medicine. October 11-15th, San Antonio, Texas. Poster Presentation.

Contribution of Blastocyst Cryopreservation to Cumulative IVF Success. L SanSoucie, M Portmann, M Brown, B McGuirk, R Feinberg, M Tucker. Presented at the 58th Annual Meeting of the American Society For Reproductive medicine. Seattle, Washington. October 12-16th, 2002. Poster presentation.

New Search

United Clinical Laboratory Practitioners

A GEORGIA CORPORATION



FOR CLINICAL LABORATORY PERSONNEL

These Greetings For

Lynn San Soucie

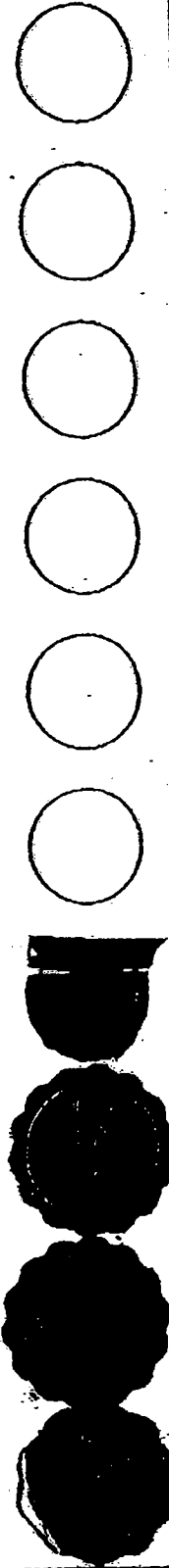
Has met the requirements as a

Medical Technologist

by guidelines set forth by this Agency

*2010
Registry Number*

Authorized Signature



TOTAL P.06

The National Certification Agency



For Medical Laboratory Personnel

Certifies that

Lynn Tina San Soucie

has demonstrated competence as a

Clinical Laboratory Technician

by fulfilling the requirements of this Agency

January 1998

Due



Lynn Tina San Soucie
President

Reproductive Associates of Delaware

4745 Ogletown-Stanton Rd., Suite 3217 – Newark, DE 19713
Tel: 302-623-4242 Fax: 302-623-4241 email: miracles@ivf-de.com website: www.ivf-de.com

| | |
|--|--|
| Embryologist | |
| Reports to: Laboratory Manager / Director | Department: Laboratory |
| Classification: Exempt | Division: IVF – Endocrine – Andrology |
| Date: 11-13-01 | Approved: MPP |

Job Function:

Goal: To carry out numerous laboratory procedures involving testing of and achieving pregnancy in infertile couples through IVF, IUI's, micromanipulation other related reproductive procedures. Must be very attentive to detail and record keeping.

Will do whatever needed, at whatever time, in whatever circumstances when necessary.

Knowledge, Skills, and Abilities:

- Bachelor's Degree in Biological Sciences, Medical Technology or equivalent.
- Previous human IVF and micro manipulation experience desired but not necessary. Animal IVF experience beneficial. Will train when and if necessary.
- Andrology experience required.
- Phlebotomy experience required.
- General knowledge and operation of laboratory equipment. Exhibits no fear of technology or equipment that is malfunctioning or in need of repair.
- Extensive computer literacy. Includes intermediate to advanced knowledge of all of the following: Microsoft Word, Excel, Access and Powerpoint. Understanding of the Internet and e-mail (Outlook, Outlook Express, AOL Mail) is necessary.

Physical Attributes Needed

- Physical activity, such as bending, lifting and climbing are necessary to adequately perform daily duties.
- Fluency in the English language is necessary to properly and clearly communicate with staff and patients.

Duties and Responsibilities:

- Ensure proper maintenance and use of all laboratory equipment.
- Schedule (if needed), patients for semen analysis and related andrological testing.
- Perform all of the following laboratory procedures:

Semen analysis with Strict Morphology

Cervical mucus preparation

Epididymal/Testicular sperm processing for IVF
Sperm freezing, storage and thawing
Fructose Assay
WBC in Semen verification and quantification
Hvna - osmotic swelling test

Phlebotomy**Maintenance and Operation of Tosoh AIA-600 Immunoanalyzer****Preparation of culture media****Q.C. of media, instruments, and other disposable materials**

- Maintain inventory at acceptable levels for all laboratory areas, including endocrine, andrology and IVF.
- Organize and maintain accurate records, including patients test reports, IVF related procedures (IVF cycles, embryo freezing and thawing records) and invoices related to purchase of inventory.
- Interpret and analyze test results performed in the laboratory in a timely manner when reporting to referring physicians.
- Keep abreast of the latest research, evaluate and initiate new procedures to enhance the capabilities of the lab.
- Expect to respond to any problems arising with laboratory equipment that may occur during the night and or weekends.
- Help and perform andrology and or endocrine services during busy periods.
- All lab equipment, supplies and facilities must be clean and well organized at all times.
- Assist the financial department in assuring appropriate and timely billing for testing services.
- Act as a liaison between the laboratory and other departments within the office to disseminate information and communicate areas for continual quality improvement.
- Intermediate to advanced computer skills in spreadsheets, word processing, database development, e-mail, Internet access, computer networks, intra-office communications are necessary.

Major Areas of Responsibility and Standards of Performance

1. Patient Contact - Discuss various tests with patients, how and why they are performed. Instruct patients on proper collection and transportation of semen specimens. Interpret lab test results for patients and referring physicians. Call IVF patients regarding fertilization results and embryo growth progress.
2. Laboratory Testing - All andrological, endocrine and IVF related testing must be performed with the highest regard to quality, efficiency, accuracy and timeliness. All tests and procedures must be carefully documented on all patient test reports and patient logbooks. When appropriate, pictures or additional commentary should be included on test reports. All test reports should be reviewed for completeness and clinical correlation with patient diagnosis. After test completion and review, all reports are filed into patient charts and logged.
3. Semen Analysis - Sample is received from the patient, labeled and placed into the incubator. Collection time, arrival time and days of abstinence are recorded. Sample is processed within 15 min. unless sample is collected at the lab, which is then allowed 15 to 30 min. to liquefy before processing. Sample volume is recorded and sample is analyzed using manual methods and disposable cell counting chambers. Guidelines for semen parameters are in accordance with the World Health Organization (WHO). All results are recorded and placed in both the patient file and lab semen analysis notebook.
4. Anti-Sperm Antibody Test (If necessary) - This test is performed in accordance with procedures established by the supplier of the test material and verified by several independent research labs. This test is performed on the husband's sperm and the wife's serum when indicated.
5. Sperm Prep. for IUI, IVF and GIFT - Sperm prep. for all these procedures are performed in accordance with protocols previously proven by various research labs. Different methods of preparation are employed depending on which procedure is being performed. Minimum acceptable sample numbers have been set and are used to screen very low or abnormal samples.
6. Semen Freezing - Semen is processed for freezing within 15 min. after arrival. Freezing media is made fresh that day or has been previously frozen immediately after being made. Samples are frozen using the same method every time, which has been proven effective. Sample vials and canes (used to hold the vial) are labeled with patient name, date and freezing code, which are then logged in the semen-freezing notebook to ensure proper identification when thawed.

7. Media Preparation – Culture media is made according to current IVF protocol. Aseptic technique is employed and strictly adhered to when processing patient culture media.
8. Media Quality Control - Media is tested for growth capabilities by culturing 2-cell mouse embryos to blastocyst stage or performing a human sperm survival bio-assay. Acceptance of media is based upon previously established in house threshold ranges. In addition, each lot of media must pass pH and osmolality checks. Again, in house threshold levels are used as criteria for their acceptance or rejection of culture media used for IVF.
9. Quality Control / Quality Assurance / Continuous Quality Improvement - Quality issues should be formulated and instituted by the manager in the endocrine, andrology and IVF laboratories. QC should be performed each day, in all three areas, by the technologists. At month's end, QC and QA data are reviewed. Any problems should be addressed immediately by the manager and discussed with the other members of the laboratory. Any actions taken must be documented and stored in the appropriate quality file.
10. Local / State / National Certification Requirements - The embryologist should be make themselves somewhat familiar with any certification requirements needed for the andrology, endocrine or IVF laboratories. If needed, appropriate actions are taken to ensure the necessary requirements are met for certification. If the laboratory is found deficient in any areas, the deficiencies are rectified as quickly as possible in accordance with the certifying agency's wishes.
11. Record Keeping - All patient specimens are rigorously labeled and dated. Results of tests performed or procedures applied are recorded in appropriate logbooks or patient charts. When and where appropriate, duplicate files are maintained to avoid any possible loss of data. Test reports, QC/QA data, blood samples, etc. are stored for a period of time as recommended by many of the certifying agencies. Files and logs are clearly labeled and neatly maintained. They should be organized in such a way as to track any specimen back to an accession number, date or patient last and first name. Accuracy and precise record keeping is of critical importance. Sloppy records will not be tolerated. Complete records are equally as important. All fields of patient test reports should be completed.
12. Ordering Lab Supplies and Equipment - Order lab supplies and equipment as approved by the director of the laboratory and department of purchasing (if there is one). Maintain lab supplies ensuring that appropriate materials are always available. When ordering, inventory levels are considered and supplies are kept to an absolute minimum to get to work completed. Ultimately, expense reduction (savings) is the responsibility of all employees. Do not needlessly order laboratory supplies
13. Care and Use of Lab Equipment - The embryologist is capable of using and maintaining all lab equipment. Standard procedures specified by the manufacturer are strictly adhered to. When necessary, service personnel are called to repair and/or calibrate equipment. A great deal of maintenance and service can be performed by the laboratory manager and staff. For example, alignment and cleaning of Hoffman and phase contrast optics on microscopes can be performed by laboratory personnel. In addition, all alarm systems that monitor and alert personnel must be thoroughly maintained, understood and given prompt attention. General knowledge and operation of other equipment such as gas manifolds, emergency generators, HVAC system serving the IVF laboratory is necessary. Periodic filter inspections of the HVAC unit must occur. Filters are replaced when necessary. The emergency backup generator is "exercised" on an interval deemed suitable by the manufacturer and/or service company. These systems and equipment all need PM contracts – if suitable – and service must occur when needed.
14. In Vitro Fertilization/Gamete Intrafallopian Tube Transfer - A checklist is strictly followed to ensure all equipment and supplies are in the operating room 15 min. prior to oocyte retrieval. During this procedure, oocytes are identified, washed, graded and placed in labeled culture dishes. Sperm is prepared for insemination and placed with oocytes at an appropriate concentration. If ICSI is to be performed, eggs are hyaluronidased and assessed for maturity. ICSI is to be carried out in the least traumatic way possible. Day to day, embryos are examined and photographed if necessary. Images are saved electronically and

specifically taken prior to freezing and transfer. Off site electronic embryo evaluation is performed when possible and the best embryos are chosen based on in house embryo grading criteria. Appropriate media and methods are to be used for extended culture to the blastocyst stage. Spare embryos that developed to the blastocyst stage are frozen using optimized freezing protocols. (See below and refer to current IVF protocol.) In addition, Assisted Hatching (sometimes with fragment removal) is performed on most every patient. All precautions are taken to minimize damage and contamination to the oocytes. Embryos are incubated under strict temperature and CO2 controls and are examined and photographed if necessary prior to freezing and transfer. All necessary items needed for procedures must be sterilized and ready to use. In case of after hour emergencies, the lab manger must be available or designate a competent alternative. Contingency plans should be in place to account for equipment failure. Oocyte, embryo and transfer observations are documented on patient IVF report sheets and ultimately filed into the patient chart and laboratory logs. These logs are to provide the basis for statistical evaluation of pertinent IVF pregnancy rates. They will also serve to provide the majority of the information needed by the Society for Assisted Reproductive Technologies (SART) for reporting agencies such as the CDC.

15. Embryo Freezing / Thawing - Embryos/ova are frozen using several different protocols, depending on stage of embryo development and fertilization. Embryos/ova are frozen in glass ampules, plastic straws or vials and stored in canes that in turn are stored in a Liquid Nitrogen storage tank. Ampules, canes and straws are labeled with patient name, date and freezing code. This is then recorded in the freezing data book, along with embryo stage and quality grade. This log should be maintained in duplicate to prevent any loss of data. The efficacy of freeze techniques should be evaluated by cryopreserving mouse embryos/oocytes or proven by use in another clinic. Acceptable survival should be demonstrated before any procedure is instituted or any technologist starts to freeze human material. This should all be documented.
16. Micromanipulation - Proper oocyte preparation (hyaluronidase), microtool alignment, and other techniques are to be learned and maintained.
17. Scheduling Lab Tests - All tests are scheduled to allow sufficient time for each procedure to be performed and recorded. Patients are accommodated whenever possible. No more than 4 patients are scheduled for one hour of lab time to prevent sample backup.
18. Continuing Education - Learn new procedures such as embryo/ova/blastocyst freezing, sperm preparation techniques, hemizona and sperm penetration assays, use of computers in analysis of collected lab data, Pre-Implantation Genetic Diagnosis (PGD), new micromanipulation procedures, etc. Keep abreast of new procedures and developments published in pertinent journal articles and integrate them into routine lab procedures. Participate in research projects that enable continued progressive advances in lab techniques.
19. Offsite Procedures with Referral Physicians - Be available for on site or off site OR procedures with local urologists. Also allow adequate time for set up, recovery, processing, and evaluation of testicular and epididymal sperm. Appropriate reports are completed and results are interpreted if necessary.
20. Work Schedule - Monday through Friday, 8 to 4:30 and will be available weekend and evenings when lab procedures are required for IUI, IVF, and possible laboratory emergencies.
21. Utilization of Technology: Utilize current and future technology to the fullest extent possible to make policies, procedures, and personnel as efficient, effective and mistake free as possible.

embryologist

Reproductive Associates of Delaware

4745 Ogletown-Stanton Rd., Suite 3217 – Newark, DE 19713
Tel: 302-623-4242 Fax: 302-623-4241 email: mirades@ivf-de.com website: www.ivf-de.com

| | |
|--|--|
| Andrology/Endocrine Tech | |
| Reports to: Laboratory Manager / Director | Department: Laboratory |
| Classification: Exempt | Division: IVF – Endocrine – Andrology |
| Date: 11-13-01 | Approved: MPP |

Job Function:

Goal: To carry out numerous laboratory procedures involving testing of and achieving pregnancy in infertile couples through IVF, IUI's, micromanipulation other related reproductive procedures. Must be very attentive to detail and record keeping.

Will do whatever needed, at whatever time, in whatever circumstances when necessary.

Knowledge, Skills, and Abilities:

- Bachelor's Degree in Biological Sciences, Medical Technology, MLT, MA, Phlebotomy certification or equivalent.
- Will train when and if necessary.
- Andrology experience beneficial.
- Phlebotomy experience required.
- General knowledge and operation of laboratory equipment. Exhibits no fear of technology or equipment that is malfunctioning or in need of repair.
- Extensive computer literacy. Includes intermediate to advanced knowledge of all of the following: Microsoft Word, Excel, Access and Powerpoint. Understanding of the Internet and e-mail (Outlook, Outlook Express, AOL Mail) is necessary.

Physical Attributes Needed

- Physical activity, such as bending, lifting and climbing are necessary to adequately perform daily duties.
- Fluency in the English language is necessary to properly and clearly communicate with staff and patients.

Duties and Responsibilities:

- Ensure proper maintenance and use of all laboratory equipment.
- Schedule (if needed), patients for semen analysis and related andrological testing.
- Perform all of the following laboratory procedures:
 - Semen analysis with Strict Morphology
 - Sperm prep for IUI, IVF
 - Epididymal/Testicular sperm processing for IVF
 - Sperm freezing, storage and thawing
 - Fructose Assay
 - WBC in Semen verification and quantification
 - Hypo - osmotic swelling test
 - Anti - Sperm antibody testing
 - Phlebotomy
 - Maintenance and Operation of Tosoh AIA-600 Immunoanalyzer
 - Preparation of culture media
 - Q.C. of media, instruments, and other disposable materials
- Maintain inventory at acceptable levels for all laboratory areas, including endocrine, andrology and IVF

- Organize and maintain accurate records, including patients test reports, IVF related procedures (IVF cycles, embryo freezing and thawing records) and invoices related to purchase of inventory.
- Interpret and analyze test results performed in the laboratory in a timely manner when reporting to referring physicians.
- Keep abreast of the latest research, evaluate and initiate new procedures to enhance the capabilities of the lab.
- Expect to respond to any problems arising with laboratory equipment that may occur during the night and or weekends.
- Help and perform general IVF and medical assistant duties during busy periods.
- All lab equipment, supplies and facilities must be clean and well organized at all times.
- Assist the financial department in assuring appropriate and timely billing for testing services.
- Act as a liaison between the laboratory and other departments within the office to disseminate information and communicate areas for continual quality improvement.
- Intermediate to advanced computer skills in spreadsheets, word processing, database development, e-mail, Internet access, computer networks, intra-office communications are necessary.

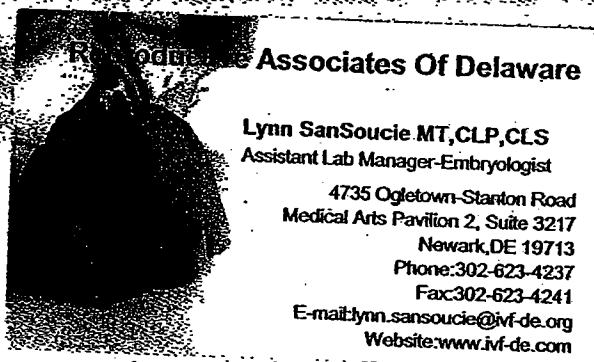
Major Areas of Responsibility and Standards of Performance

1. Patient Contact - Discuss various tests with patients, how and why they are performed. Instruct patients on proper collection and transportation of semen specimens. Interpret lab test results for patients and referring physicians. Call IVF patients regarding fertilization results and embryo growth progress.
2. Laboratory Testing - All andrological, endocrine and IVF related testing must be performed with the highest regard to quality, efficiency, accuracy and timeliness. All tests and procedures must be carefully documented on all patient test reports and patient logbooks. When appropriate, pictures or additional commentary should be included on test reports. All test reports should be reviewed for completeness and clinical correlation with patient diagnosis. After test completion and review, all reports are filed into patient charts and logged.
3. Phlebotomy - The andro/endo staff will draw all patients when needed at all times. This includes labcorp bloods or any other outside laboratory service. Patients will be treated with courtesy and respect and we will do our best to minimize wait times for blood draws. The andro/endo techs will abide by all known OSHA regulations regarding universal precautions and will protect themselves as best they can with protective devices to minimize any exposure to infectious diseases. All patients are to be treated as if they are infectious. Additionally, the goal is to stick our patients one time and not multiple times. The andro/endo techs will take their time to find a "do able" vein. The ultimate goal is to limit multiple sticks and minimize bruising.
4. Semen Analysis - Sample is received from the patient, labeled and placed on the warmer. Collection time, arrival time, spillage, medication taken and days of abstinence are recorded. Sample is processed within 15 min. unless sample is collected at the lab, which is then allowed 15 to 30 min. to liquefy before processing. Sample volume is recorded and sample is analyzed using manual methods and disposable cell counting chambers. Guidelines for semen parameters are in accordance with the World Health Organization (WHO). All results are recorded and placed in both the patient file and lab semen analysis notebook.
5. Anti-Sperm Antibody Test (If necessary) - This test is performed in accordance with procedures established by the supplier of the test material and verified by several independent research labs. This test is performed on the husband's sperm and the wife's serum when indicated.
6. Sperm Prep. for IUI, IVF and GIFT - Sperm prep. for all these procedures are performed in accordance with protocols previously proven by various research labs. Different methods of preparation are employed depending on which procedure is being performed. Minimum acceptable sample numbers have been set and are used to screen very low or abnormal samples.

7. Semen Freezing - Semen is processed for freezing within 15 min. after arrival. Freezing media is made fresh that day or has been previously frozen immediately after being made. Samples are frozen using the same method every time, which has been proven effective. Sample vials and canes (used to hold the vial) are labeled with patient name, date and freezing code, which are then logged in the semen-freezing notebook to ensure proper identification when thawed.
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10. Quality Control / Quality Assurance / Continuous Quality Improvement - Quality issues should be formulated and instituted by the manager in the endocrine, andrology and IVF laboratories. QC should be performed each day, in all three areas, by the technologists. At month's end, QC and QA data are reviewed. Any problems should be addressed immediately by the manager and discussed with the other members of the laboratory. Any actions taken must be documented and stored in the appropriate quality file.
11. Local / State / National Certification Requirements - The andrologists /endo techs should be make themselves somewhat familiar with any certification requirements needed for the andrology, endocrine or IVF laboratories. If needed, appropriate actions are taken to ensure the necessary requirements are met for certification. If the laboratory is found deficient in any areas, the deficiencies are rectified as quickly as possible in accordance with the certifying agency's wishes.
12. Record Keeping - All patient specimens are rigorously labeled and dated. Results of tests performed or procedures applied are recorded in appropriate logbooks or patient charts and in the database. When and where appropriate, duplicate files are maintained to avoid any possible loss of data. Test reports, QC/QA data, blood samples, etc. are stored for a period of time as recommended by many of the certifying agencies. Files and logs are clearly labeled and neatly maintained. They should be organized in such a way as to track any specimen back to an accession number, date or patient last and first name. Accuracy and precise record keeping is of critical importance. Sloppy records will not be tolerated. Complete records are equally as important. All fields of patient test reports should be completed.
13. Ordering Lab Supplies and Equipment - Order lab supplies and equipment as approved by the director of the laboratory and department of purchasing (if there is one). Maintain lab supplies ensuring that appropriate materials are always available. When ordering, inventory levels are considered and supplies are kept to an absolute minimum to get to work completed. Ultimately, expense reduction (savings) is the responsibility of all employees. Do not needlessly order laboratory supplies
14. Care and Use of Lab Equipment - The andrologist/endo tech is capable of using and maintaining all lab equipment. Standard procedures specified by the manufacturer are strictly adhered to. When necessary, service personnel are called to repair and/or calibrate equipment. A great deal of maintenance and service can be performed by the laboratory manager and staff. For example, alignment and cleaning of Hoffman and phase contrast optics on microscopes can be performed by laboratory personnel. In addition, all alarm systems that monitor and alert personnel must be thoroughly maintained, understood and given prompt attention. General knowledge and operation of other equipment such as gas manifolds, emergency generators, HVAC system serving the IVF laboratory is necessary. Periodic filter inspections of the HVAC unit must occur. Filters are replaced when necessary. The emergency backup generator is "exercised" on an interval deemed suitable by the manufacturer and/or service company. These systems and equipment all need PM contracts - if suitable - and service must occur when needed.

15. Scheduling Lab Tests - All tests are scheduled to allow sufficient time for each procedure to be performed and recorded. Patients are accommodated whenever possible. No more than 4 patients are scheduled for one hour of lab time to prevent sample backup.
16. Continuing Education - Learn new procedures like new sperm preparation techniques, better sperm freezing protocols, hemizona and sperm penetration assays, use of computers in analysis of collected lab data, etc. Keep abreast of new procedures and developments published in pertinent journal articles and integrate them into routine lab procedures. Participate in research projects that enable continued progressive advances in lab techniques.
17. Offsite Procedures with Referral Physicians - Be available for on site or off site OR procedures with local urologists. Also allow adequate time for set up, recovery, processing, and evaluation of testicular and epididymal sperm. Appropriate reports are completed and results are interpreted if necessary.
18. Work Schedule - Monday through Friday, 8 to 4:30 and will be available weekend and evenings when lab procedures are required for IUI, IVF, and possible laboratory emergencies.
19. Utilization of Technology: Utilize current and future technology to the fullest extent possible to make policies, procedures, and personnel as efficient, effective and mistake free as possible.

androendo



IN AND FOR THE DISTRICT OF DELAWARE

LYNN SAN SOUCIE,

Plaintiff,

V.

OF DELAWARE, P.A.,

Defendant.

C.A. NO. 04-0861-JJF

JURY TRIAL DEMANDED

FIRST SET OF INTERROGATORIES

necessary or appropriate in the future.

information, at trial or otherwise, are expressly reserved.

GENERAL OBJECTIONS

them or not:

(d) The substance of each communication.

ANSWER: N/A

INTERROGATORY NO. 12. Please state whether, during her employment with Defendant as a non-exempt employee, Plaintiff ever communicated to any director, manager, supervisor or HR representative, including but not limited to directors, managers, supervisors and HR representatives, any complaint, belief or opinion that Plaintiff should be promoted to an exempt position.

ANSWER: Plaintiff expressed a strong desire on several occasions to change her work status from hourly and part time with no benefits to salaried and full time as an embryologist with family benefits, providing her with a 26% immediate increase in her per annum wages. In return for this, she was prepared to resign from her professional position at Bryn Mawr Hospital in the Reproductive Laboratories at that institution. Once offered to her, she readily accepted a new professional and responsible position as an embryologist at RAD, with all the privileges and responsibilities associated with that position.

INTERROGATORY NO. 13. If the answer to Interrogatory No. 13 is in the affirmative, please provide all details related to each and every communication Plaintiff had with Defendant including, but not limited to the following:

- (a) The date of each communication;
- (b) The form of each communication;
- (c) The identity of every person who participated in the communication,

and/or was made aware of the communication by receiving a copy of a document or by any other means; and

ANSWER: N/A

IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF DELAWARE

LYNN SAN SOUCIE,

Plaintiff,

V.

REPRODUCTIVE ASSOCIATES
OF DELAWARE, P.A.,

Defendant.

C.A. NO. 04-0861-JJF

JURY TRIAL DEMANDED

BE IT REMEMBERED that on this 14th day of January, 2005, personally appeared before me, the Subscriber, a Notary Public for the State and County aforesaid, MARC PORTMANN, personally known to me to be such and being duly sworn according to law, who did depose and say the foregoing **DEFENDANT'S ANSWERS AND OBJECTIONS TO PLAINTIFF'S FIRST SET OF INTERROGATORIES** are true and correct to the best of his knowledge, information, and belief.


Marc Portmann

SWORN TO AND SUBSCRIBED before me the day and year aforesaid.

Notary Public

JLB/016459-0003/1075365/1

Steve Rothbart
Andrologist
Reproductive Associates

Cai Wang, M.D.
Andrologist
Reproductive Associates

Janet Storch
Office Manager
Reproductive Associates

Helen Buchanan
IVF Coordinator
Reproductive Associates

Peg Brown
Nurse Practitioner
Reproductive Associates

Michael Tucker, Ph.D.
IVF Scientific Director
Georgia Reproductive Associates

INTERROGATORY NO. 2. Please discuss, in detail, Defendant's reason(s) for classifying Plaintiff, and/or the duties of Plaintiff as exempt under the management exception of the Fair Labor Standards Act ("FLSA").

ANSWER: RAD did not classify Plaintiff and/or Plaintiff's job duties as exempt under "the management exemption" of the Fair Labor Standards Act.

INTERROGATORY NO. 3. Please discuss, in detail, Defendant's reason(s) why it believes Plaintiff was not entitled to overtime compensation.

ANSWER: Plaintiff's credentials (i.e., specialized training, knowledge, and education) placed her in a professional category. Plaintiff was paid on a salaried basis with the mutual understanding she was a professional, and there would be "peaks and valleys" in her workload. For example, she had discretion to leave the office early when her workload was

light, and she frequently did so. On the other hand, during the portion of IVF cycles involving detailed laboratory involvement, she was expected to be available to work over a 7 to 10 day period, possibly including weekend days. Her pay was not reduced when she worked less than 40 hours a week, which occurred commonly during non-IVF weeks. On a daily basis, her responsibilities required her to make important decisions affecting the lives of patients, their embryos, and their future children. Her duties regularly involved the exercise independent judgment and discretion throughout, including frequent direct discussions with patients about the status of their sperm, eggs, and embryos. Moreover, RAD provided Plaintiff with professional training, continuing education, enrollment in elite professional societies, opportunities to present new scientific results at professional conferences, and interactions with other highly respected professionals in the embryology field.

INTERROGATORY NO. 4. Identify with specificity all hours Plaintiff worked, in her position as assistant lab manager/embryologist during her employment with Defendant, and identify any documents that refer or relate to, or otherwise support the hours worked by Plaintiff during her employment with Defendant.

ANSWER: RAD cannot determine with specificity the hours Plaintiff worked in her position as assistant lab manager/embryologist. RAD did not maintain a daily recording of the dates, hours, and times Plaintiff worked.

INTERROGATORY NO. 5. Please discuss how, when, by whom and where Plaintiff's work schedule(s) were maintained (i.e. created, edited, approved and stored) during her employment with Defendant and provide copies of these records, where available.

ANSWER: Plaintiff was not subject to, nor did she have, a formal work schedule. Most weeks, Plaintiff reported to work in the morning (8:00 a.m.) and worked through the

afternoon (4:30 p.m.), Monday through Friday, with the other employees. When RAD was engaged in patient IVF cycles (approximately 10/year), Plaintiff was expected to be available to work in a 7 to 10 day period of time. Otherwise, Plaintiff was entitled to make and keep her own schedule as long as it did not impinge upon the workloads of the Andrology, Endocrine, and IVF Laboratories. In fact, as noted by her colleagues, Plaintiff exercised her personal discretion frequently to leave the office when the IVF lab was not busy. She also exercised the option quite frequently during work hours to take breaks, leave the office, and make personal phone calls without asking for permission.

INTERROGATORY NO. 6. Please discuss, in detail, Plaintiffs exact job requirements, accountabilities, duties and/or responsibilities as an employee in the position of assistant lab manager/embryologist.

ANSWER: RAD objects to the request to discuss Plaintiff's exact job requirements, accountabilities and duties to the extent it is overly burdensome. Without waiving this objection, see "Embryologist" and "Andrology/Endocrine Tech" descriptions produced concomitant herewith. (See D-46 to D-53). In addition, Plaintiff performed some supervisory duties, and trained employees working in the Andrology and Endocrine Labs.

INTERROGATORY NO. 7. Please discuss, in detail, whether or not Plaintiff had the authority to hire or fire employees in her position during her employment with Defendant, and if answered in the affirmative, please discuss, in detail, each occasion when Plaintiff has exercised this authority.

ANSWER: Plaintiff did not have the authority to hire or fire employees during her employment with RAD. She did, however, play an active role in recruiting, interviewing, and hiring several employees. For example, Plaintiff recommended RAD hire Dawn Prinz, Bonnie

Polkaba, and Linda Morrison as Andro-Endo Lab Technicians. Plaintiff actively participated in their recruitment interviews and was responsible for reviewing their credentials with supervisors. Based in large part on RAD's confidence in Plaintiff's opinions, RAD hired Ms. Prinz, Ms. Polkaba, and Ms. Morrison. During Plaintiff's employment, no employee was fired.

INTERROGATORY NO. 8. Please state, in detail, whether or not, in the position as assistant lab manager/embryologist during her employment with Defendant, Plaintiff was ever responsible and/or accountable for the following:

- (a) Hiring employees or making recommendations regarding new hires;
- (b) Interviewing potential employees;
- (c) Training of new employees;
- (d) Terminating the employment of employees or making recommendations regarding termination of employment;
- (e) Disciplining of employees;
- (f) Setting and adjusting schedules or "hours of work" of employees;
- (g) Conducting employee evaluations and establishing corrective activities, including, but not limited to, preparing and/or conducting employees' performance appraisals;
- (h) Determining the type of materials and/or supplies to be used;
- (i) Determining the amount of materials and/or supplies to be ordered and ordering same;
- (j) Attending supervisor meetings;
- (k) Maintaining a high level of safety and enforcing safety rules and procedures;
- (l) Maintaining and enforcing a high level of sanitation standards;

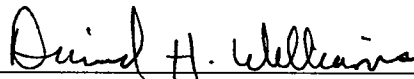
**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

| | | |
|-------------------------|---|---------------------|
| LYNN SAN SOUCIE, |) | |
| |) | |
| Plaintiff, |) | C.A. No. 04-861-JJF |
| |) | |
| v. |) | JURY TRIAL DEMANDED |
| |) | |
| REPRODUCTIVE ASSOCIATES |) | |
| OF DELAWARE, P.A., |) | |
| |) | |
| Defendant. |) | |

CERTIFICATE OF SERVICE

I hereby certify that on March 14, 2005, I electronically filed **APPENDIX TO DEFENDANT REPRODUCTIVE ASSOCIATES OF DELAWARE, P.A.'S ANSWERING BRIEF IN OPPOSITION TO PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT** with the Clerk of Court using CM/ECF which will send notification of such filing(s) to the following:

Jeffrey K. Martin, Esquire
Margolis & Edelstein
1509 Gilpin Avenue
Wilmington, DE 19806



David H. Williams (#616)
Jennifer L. Brierley (#4075)
MORRIS, JAMES, HITCHENS & WILLIAMS, LLP
222 Delaware Avenue
P.O. Box 2306
Wilmington, DE 19899
(302) 888-6900
dwilliams@morrisjames.com
Attorneys for Defendant
Reproductive Associates of Delaware, P.A.

Dated: March 14, 2005